

**JEAN ACLOQUE**  
**January 18, 2006**

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1                   **Q. How far from the fence?**

2                   A. I can't tell you how far.

3                   **Q. But he wasn't in the street at that**  
4                   **point?**

5                   A. He was just around this area. I would  
6                   consider this the street since this is the  
7                   sidewalk. This area would still be part of the  
8                   street.

9                   **Q. It's next to the sidewalk?**

10                  A. Yes, that's right.

11                  **Q. If you extended the sidewalk, then this**  
12                  **picture would be on the sidewalk?**

13                  A. Yes, that's correct.

14                  **Q. What did you see happen next?**

15                  A. Hearn was checking him out to see if he  
16                  had drugs.

17                  **Q. How was he checking him out?**

18                  A. Checking out his pocket, checking out  
19                  his pants or his clothing that he was wearing.

20                  **Q. Checking out his pockets?**

21                  A. Yes.

22                  **Q. How did he go about that?**

23                  A. I believe he was emptying out his  
24                  pocket.

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1                   **Q. Did he pull the pockets out?**

2                   A. At that time when I came to the scene,  
3 you know, I only seen him checking out his pants  
4 and checking out his jacket. I wasn't really  
5 paying too much attention to what Hearns was doing.  
6 I was focusing more on looking for the drugs.

7                   **Q. But I'm asking you exactly what did you  
8 see Hearns do to Mr. Lacy?**

9                   A. I just told you.

10                  **Q. Did you see him reach in his pockets?**

11                  A. Yes, I did.

12                  **Q. You saw that?**

13                  A. Yes.

14                  **Q. Which pocket was that?**

15                  A. I'm not sure. I think it was the right  
16 pocket.

17                  **Q. Did he pull anything out?**

18                  A. No. I didn't see him pull anything out.

19                  **Q. Were the pockets pulled out?**

20                  A. I don't remember them being pulled out.

21                  **Q. Is that standard procedure to pull out  
22 the pockets when you reach your hand in?**

23                  A. You mean --

24                  **Q. When you're searching someone and --**

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1                   **Q. So you were the other officer closest to**  
2                   **Lacy with Hearns?**

3                   A. Yes, I was closest to Lacy and Hearns.  
4                   The other officers were just walking around looking  
5                   for drugs.

6                   **Q. Why did you happen to be closest to**  
7                   **Hearns?**

8                   A. Because my information was that the  
9                   drugs could be around the fence area. That's why I  
10                  was looking around that area.

11                  **Q. You were looking at Hearns. What was he**  
12                  **doing with Mario Lacy after he had gone through the**  
13                  **pockets? What did he do next?**

14                  A. Well, I don't know what Hearns did next.  
15                  I was more focused on looking for the drugs. I  
16                  wasn't really staring at Hearns, watching what he  
17                  was doing with Mario Lacy. I know he was checking  
18                  to see if he had drugs on him.

19                  **Q. But you found out later what he did to**  
20                  **Lacy, didn't you?**

21                  A. What did he do to Lacy?

22                  **Q. Didn't you ask what was done, in terms**  
23                  **of a further search?**

24                  A. What was done to what?

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